

**UNITED STATES OF AMERICA  
BEFORE THE  
DEPARTMENT OF COMMERCE**

WEAVER'S COVE ENERGY, LLC	)	
Appellant,	)	
v.	)	Case No. _____
MASSACHUSETTS OFFICE OF COASTAL	)	
ZONE MANAGEMENT,	)	
Respondent.	)	
	)	
MILL RIVER PIPELINE, LLC	)	
Appellant,	)	
v.	)	Case No. _____
MASSACHUSETTS OFFICE OF COASTAL	)	
ZONE MANAGEMENT,	)	
Respondent.	)	
	)	

**RESPONDENT'S MOTION FOR LEAVE TO FILE A SINGLE BRIEF**

Respondent Massachusetts Office of Coastal Zone Management (MCZM) requests that the Secretary, pursuant to 15 C.F.R. § 930.127(e)(1), allow MCZM to respond in a single brief to the principal briefs of Weaver's Cove Energy, LLC and Mill River Pipeline, LLC, in the above captioned consistency appeals. In support of this motion, respondent states as follows:

1. Weaver's Cove seeks to construct and operate an LNG import terminal on the east bank of the Taunton River in Fall River, Massachusetts. Its affiliate, Mill River Pipeline, LLC, seeks to construct and operate two new lateral pipelines, and ancillary facilities, to transport revaporized natural gas from Weaver's Cove's proposed terminal to existing interstate pipeline facilities for distribution. Delivery of LNG to the proposed terminal and pipelines would be by way of LNG tankers through Mount Hope Bay and the Taunton River.
2. Mill River's proposed pipeline project would include the installation of over 6

miles of piping. Weaver's Cove's proposed terminal facility would include a marine berth, an LNG storage tank, regasification facilities, a LNG truck distribution facility, construction of a jetty, and dredging and backfilling the Taunton River crossing for one of the pipeline laterals.

3. Weaver's Cove's and Mill River's (collectively, "Applicants") projects would function as one in terms of their stated overall goal of increasing natural gas supplies to the New England region: Either project, without the other, will not accomplish this goal. In addition, as a practical matter there is an interrelationship in the proposed construction activities of the projects as, for example, Weaver's Cove's terminal project also includes dredging and backfilling necessary for one of the pipeline laterals.

4. In addition to the overlap in underlying facts, the issues presented in these consistency appeals are similarly overlapping and not distinct. In fact, the Applicants's opening briefs on the merits effectively concede this point in that, except for occasional differences, they are virtually identical in terms of the arguments presented.

5. Finally, the Applicants do not object to consolidation. WC Brief at 29; MR Br. at 27.

For the foregoing reasons, in the interest of efficiency and to benefit the Secretarial review process, MCZM requests the Secretary for leave to file single brief in response to the Applicants' briefs.

Respectfully submitted,

MASSACHUSETTS OFFICE OF  
COASTAL ZONE MANAGEMENT

By its attorney,

MARTHA COAKLEY  
ATTORNEY GENERAL

Carol Iancu /s/

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Dated: Nov. 5, 2007

### **CERTIFICATE OF SERVICE**

I hereby certify that on Nov. 5, 2007, I caused a true and accurate copy of the foregoing motion be served by first-class mail, postage prepaid, and electronic copies to be sent to the following:

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